



CrI.O.P.No.11832 of 2024

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C.SARAVANAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 279, 337, 294(b), 323, 324 and 506 (ii) of IPC later altered into Section 307 of IPC in Crime No.110 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant D.Nalan is that on 05.03.2024 at about 9.15 p.m., while the defacto complainant was travelling in a two wheeler, the petitioner along with other accused picked up a wordy quarrel with the de-facto complainant abused the defacto complainant with filthy language, intimidated him and assaulted the defacto complainant with knife. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the main accused A1 and A2 arrested and enlarged on bail. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. Mr.R.Vinothraja, learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner along with other accused had entered into a wordy quarrel with the defacto complainant, abused him with filthy language and harassed the defacto complainant with knife. He opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. The petitioner is A3 in Crime No.110 of 2024 pursuant to the complaint filed by the defacto complainant. The case involved an alleged incident of wordy quarrel between the defacto complainant and the accused after an accident on 05.03.2024. The parties also exchanged blows in said road rage resulting in grievous injuries to the defacto complainant. The defacto complainant was thereafter reportedly admitted in a hospital on 05.03.2024 and was later discharged on 04.04.2024.

7. Initially, the complaint was lodged against the petitioner under Sections 279, 337, 294(b), 323, 324 and 506 (ii) of IPC and later altered into Section 307 of IPC.



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8. It is noticed that the main accused A1 and A2 have already secured an order of bail by this Court on 24.04.2024 in Crl.O.P.No.9644 of 2024. Considering the same, this Court is inclined to grant anticipatory bail to the petitioner on similar lines.

9. Considering the same and the fact that there was an attempt to take law into their hands, the Court is inclined to grant Anticipatory Bail to the petitioner and the petitioner shall be released immediately on bail, in the event of arrest or on his appearance, with subject to the following conditions:-

[a] The petitioner shall appear before the **learned Judicial Magistrate No.II, Thiruvallur**, within a period of fifteen days from the date on which the order copy made ready;

[b] the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned;

[c] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[d] the petitioner shall donate a sum of RS.10,000/- (Rupees Ten Thousand only) to the recognized and registered Orphanage in Chengalpattu District;

[e] the petitioner shall report before the Town Police Station, Salem daily at 10.30 a.m., for the period of three months;

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[g] the petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[i] If the accused thereafter absconds, a fresh FIR can be



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registered under Section 229A IPC.

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